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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

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MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
TUCSON ELECTRIC POWER COMPANY FOR
THE ESTABLISHMENT OF JUST AND
REASONABLE RATES AND CHARGES
DESIGNED TO REALIZE A REASONABLE
RATE OF RETURN ON THE FAIR VALUE OF
ITS OPERATIONS THROUGHOUT THE STATE
OF ARIZONA.

DOCKET NO. E-01933A-07-0402

IN THE MATTER OF THE FILING BY TUCSON
ELECTRIC POWER COMPANY TO AMEND
DECISION NO. 62103.

DOCKET NO. E-01933A-05-0650

PROCEDURAL ORDER

BY THE COMMISSION:

On March 7, 2008, the Arizona Corporation Commission's ("Commission") Utilities Division ("Staff") filed a Motion for a Procedural order Regarding Service of Documents. Staff's Motion requests the Hearing Division to issue a Procedural Order that would permit service of testimony, pleadings and other documents filed in this matter by electronic means. Staff's Motion was motivated by the voluminous testimony that has been filed, and is expected to be filed in the future in this proceeding and need for an efficient, cost effective means of communicating among the parties.

Staff proposes that where an email address of a Party is known, Staff would propose that documents be emailed to that known email address, and if no email is known for a particular Party, Staff proposed that Service be accomplished by either mailing a printed copy of the document, or by mailing a disk containing an electronic version of the document. Staff further proposed that electronic versions of documents be sent in either "Word" or ".pdf" format, at the sender's option.

Because the Commission's Docket Control is not equipped to treat electronic versions of documents as the original, Staff proposed that Parties continue to be required to submit an original and 13 copies of any filing, in printed form, to Docket Control in order to fulfill filing requirements.

1 In addition, Staff proposes that any Party who wishes to receive printed copies of documents in lieu
2 of electronic versions, should be required to serve such request with Docket Control, and no
3 Procedural Order should be required to grant such request. Staff states that in the absence of such a
4 request, service of an electronic version of a document should be deemed to comply with service
5 requirements.

6 No party objected to Staff's proposal.

7 Staff's request to allow electronic service of testimony, pleadings and other documents is
8 reasonable and has been tried with success on a case-by-case basis in other voluminous dockets. One
9 issue not addressed by Staff's Motion is whether all Parties currently have equal access to the email
10 addresses of other Parties. While the filing party bears the burden of effecting service, failure to
11 serve testimony or pleadings or other documents in a timely fashion can have adverse impacts on the
12 entire proceeding and cause delays.

13 In order to disseminate the preferred email addresses of the Parties among all participants in
14 this matter, all Parties are directed to file their email addresses where they will accept service of
15 filings in this matter with Docket Control. Because of the efficiency and cost effectiveness of
16 electronic service, all Parties are urged to accept service electronically if possible. Any Party who
17 does not make such filing, however, shall receive a printed copy of all filings. No Procedural Order
18 will be issued to effectuate any Party's requested form of service, rather the filing is ordered in an
19 attempt to assist the Parties. **The original paper document and 13 copies of any filing must**
20 **continue to made with the Commission's Docket Control to fulfill filing requirements.**

21 IT IS THEREFORE ORDERED that Staff's Motion to permit electronic service of testimony,
22 pleadings or other documents on Parties is granted subject to the procedures set forth herein.

23 IT IS FURTHER ORDERED that henceforth electronic service of filings to Parties shall be
24 deemed effective service.

25 IT IS FURTHER ORDERED that electronic versions of documents may be sent in either
26 "Word" or ".pdf" format, at the sender's option.
27
28

IT IS FURTHER ORDERED that all Parties **shall file the email address(es)** where they will accept service with Docket Control by **March 31, 2008**.

IT IS FURTHER ORDERED that any Party who is not willing or able to accept service electronically shall file a statement to that effect with Docket Control by March 31, 2008.

IT IS FURTHER ORDERED that the original "hard copy" paper version and 13 copies of any filing must continue to made with the Commission's Docket Control to fulfill filing requirements.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) continues to apply to this proceeding and shall remain in effect until the Commission's Decision in this matter is final and non-appealable.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 21st day of March, 2008.


JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

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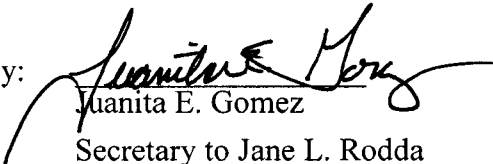
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